

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAKOYA JADE OATS

Defendant.

CR-19-68-GF-BMM

**AMENDED ORDER ADOPTING
FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 22, 2023. (Doc. 79.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 21, 2023. (Doc. 74) The United States accused Jakoya Oats, (Oats) of violating his conditions of supervised release 1) by failing to follow the instructions of his probation officer on

two separate occasions; 2) by failing to report for substance abuse treatment; 3) by failing to participate in substance abuse testing; 4) by using fentanyl; and 5) by failing to notify his probation officer of a change in residence. (Doc. 71.)

At the revocation hearing, admitted Oats admitted that he had violated the terms of his supervised release 1) by failing to follow the instructions of his probation officer on two separate occasions; 2) by failing to report for substance abuse treatment; 3) by using fentanyl; and 4) by failing to notify his probation officer of a change in residence. Judge Johnston dismissed alleged violation 3 on the government's motion. (Doc. 74.) Judge Johnston found that the violations Oats admitted prove serious and warrants revocation of his supervised release and recommends a custodial sentence of 10 months, with no supervised release to follow. (Doc. 79.) Oats was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 74.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 79) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Jakoya Jade Oats be sentenced to the Bureau of Prison for 10 months with no supervised release to follow. Oats should be placed at the BOP Facility in Sandstone, Minnesota.

DATED this 6th day of April, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court